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LETTER DATED 3 AUGUST 1995 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the attached report, which was addressed to me on 2 August 1995 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, concerning the operations of the International Conference's Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro). This report by the Co-Chairmen contains the certification referred to in Security Council resolution 1003 (1995).

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

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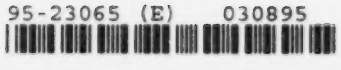

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Annex

Operations of the International Conference on the Former Yugoslavia (ICFY) Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro)

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 13 of Security Council resolutions 988 (1995) of 21 April 1995 and 1003 (1995) of 5 July 1995. In resolution 988 (1995), the Security Council requested that the Secretary-General submit every 30 days, for its review, a report from the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the border closure measures taken by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro).

2. It will be recalled that, on 4 August 1994, the following measures were ordered by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), to come into effect the same day:

(a) "To break off political and economic relations with the 'Republika Srpska';

(b) "To prohibit the stay of the members of the leadership of the 'Republika Srpska' (Parliament, Presidency and Government) in the territory of the Federal Republic of Yugoslavia;

(c) "As of today the border of the Federal Republic of Yugoslavia is closed for all transport towards the 'Republika Srpska', except food, clothing and medicine."

3. On 19 September, 3 October, 2 November and 5 December 1994, 5 January, 3 February, 2 March, 31 March, 13 April, 18 May and 25 June 1995, the Secretary-General transmitted to the Security Council reports from the Co-Chairmen of the Steering Committee on the state of implementation of the above-mentioned measures (S/1994/1074; S/1994/1124; S/1994/1246; S/1994/1372; S/1995/6; S/1995/104; S/1995/175; S/1995/255; S/1995/302; S/1995/406 and S/1995/510). The report dated 25 June 1995 contained the following certification from the Co-Chairmen:

"In the light of the foregoing developments during the reporting period, based on the Mission's on-site observation, on the advice of the Mission coordinator, Mr. T. J. Nieminen, and in the absence of any contrary information from the air, either from the airborne reconnaissance system of the North Atlantic Treaty Organization (NATO), or national technical means, the Co-Chairmen conclude that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is continuing to meet its commitment to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces. The Co-Chairmen also conclude

that, during the period covered by the present report, there have been no commercial transshipments across the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina."

Developments since the last report are outlined below.

II. LEGISLATION/REGULATIONS ON THE BORDER CLOSURE

4. The decision of the Federal Government to break all economic and political relations with the "Republika Srpska" that was reached in August 1994 was amended on 13 July 1995. According to the amendment to the said decision, besides food, clothing and medicine, the following articles may be sent to the territory of the "Republika Srpska" as humanitarian aid:

Articles for hygiene and disinfectants;

Books, textbooks and other school materials;

Funeral equipment;

Articles for religious services (candles, icon lamps, incense and the like).

5. The authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) have provided the Mission with the following list of confiscations conducted along its border with Bosnia and Herzegovina for June 1995:

Petrol	-	10.5 tons
Diesel	-	20.3 tons
Motor oil	-	784 litres
Cigarettes	-	1.3 tons
Construction materials	-	23.9 tons
Wood	-	27 cubic metres
Alcohol	-	703 litres
Food	-	6.7 tons
Textiles, clothing, footwear	-	236 kilograms
Animals	-	22
Coffee	-	1.6 tons
Electrical gadgets	-	550 kilograms
Motor vehicles	-	4
Other goods	-	11.4 tons

6. There were 67 new offence procedures initiated during the month and 120 were finalized. Fines and penalties amounted to 285,000 dinars. The volume of confiscations was down to more normal levels following the substantial increase in May. The number of new offence cases was about the average for the previous 10 months, whilst the number of cases finalized and penalties levied were well above the average for the previous monthly periods.

III. ORGANIZATION, FINANCING AND WORK OF THE MISSION

7. As of 30 July 1995, 185 international Mission personnel were on duty with the Mission. The Mission personnel to date have come from the following countries: Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Netherlands, Norway, Portugal, Russian Federation, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America.

8. The present number of monitors assures 24-hour manning of the 19 border crossing points, as well as patrolling the Mission area of responsibility. The conditions of the observers at the crossing points were upgraded considerably by the end of July, when 13 portacabin containers loaned to the Mission by the United Nations were installed at the crossing points.

IV. FREEDOM OF MOVEMENT OF THE MISSION

9. The Mission continues to enjoy full freedom of movement within the Federal Republic of Yugoslavia (Serbia and Montenegro).

10. Nevertheless, there have been some minor incidents, when on eight different occasions Mission observers have been verbally threatened by local people. One of the incidents happened in the vicinity of Citluk (Sector Alpha) and the rest of them in Sector Charlie: one in Scepan Polje, two in Vracenovici, two in Niksic and two while patrolling in Montenegro. The Mission considers those incidents as personal outbursts, reflecting the present uncertain situation in the former Yugoslavia. The security of personnel is closely monitored by the Mission headquarters and remains a matter of priority concern.

11. Also, on 22 July, a Mission mobile patrol was by the Drina river, 1.5 kilometres south of Badovinci, when from the western side of the river a burst of automatic fire was let off as a possible warning. The patrol withdrew but the incident was assessed as an isolated one (not necessarily directly targeting Mission members) and this area will continue to be monitored.

V. COOPERATION OF THE AUTHORITIES OF THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) WITH THE MISSION

12. Cooperation with the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) continues to be good.

VI. INFORMATION RECEIVED FROM NATIONAL AND OTHER SOURCES

13. The operating principle of the Mission is to base its reporting and evaluations on its own observations and on information that it has verified. The Mission Coordinator has maintained a standing request to Governments possessing the technical capacity to provide it with information relevant to its mandate. He has not received any such information since the last report.

VII. PROBLEMS ENCOUNTERED AND REPRESENTATIONS MADE TO THE AUTHORITIES

14. Unarmed uniformed personnel continue to cross the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and Bosnia and Herzegovina. During the reporting period, 492 such incidents were recorded, 460 at Sremska Raca. Usually the crossings happen in small groups or individually, except on 21 July at Vracenovici, when 30 unarmed soldiers crossed the border in a bus from Bosnia and Herzegovina into the Federal Republic of Yugoslavia (Serbia and Montenegro). On two occasions, at Scepan Polje, uniformed persons were allowed to cross the border carrying a sidearm.

15. On 24 July, at Sremska Raca three civilians carrying sidearms were allowed to cross the border into the Federal Republic of Yugoslavia (Serbia and Montenegro). The vehicle registration number indicated that it was from the "Republic of Serb Krajina" ("RSK").

16. The customs officials in Sector Belgrade have been active throughout the reporting period, confiscating many items intended for smuggling, especially at Belgrade port, where substantial quantities of confiscations have been reported by the Mission observers. For example, 1 load with 4 tons of hidden fertilizer and another with 530 bottles of wine and 120 kilograms of chocolate were confiscated. In Novi Sad a load of cement was found hidden under flour in two trucks. In Sremska Raca, 2 trucks were impounded, 1 with a hidden bulkhead tank containing 11.3 tons of fuel and the other with a hidden tank of approximately 14.5 tons of fuel. On two occasions, the customs officials found 10 tons of cement when investigating the cut wire on loaded trucks.

17. On 26 July, at Sremska Raca, one car carrying packages of corn plus other packages crossed the border into Bosnia and Herzegovina unchecked after a conversation with a customs officer, who stated that he did not know what was in the packages.

18. On 26 July, a Mission mobile patrol by the Drina river 4 kilometres north of Trbusnica saw a metal boat full of 200 litre fuel drums moored to the far bank. The number of drums was at least 16. There were five cars, one van and numerous people in the area at the time. On the site is a cable ferry crossing. The pulley cable attached to the main cable had been moved from its old, useless position in midstream to the far bank. This made the ferry operational for the first time in at least two months. Three hundred metres upstream and south of the ferry, a tractor and a trailer were reversed into the river. On the trailer were at least nine 200-litre fuel drums. There was a Yugoslav Army Liaison officer with the patrol, who returned to his barracks to task an army patrol to

cover the area. The Mission mobile patrol returned to the area the next day, on 27 July. A three-man Yugoslav Army patrol was posted there and the patrol leader stated that they had not observed any activity in the area. The fuel drums had also disappeared.

19. At Badovinci and Trbusnica border crossing points (Sector Alpha) the problem of "ant trade" appeared in late June and increased in July. Cement, fertilizer and powder paint were allowed across the border to the Republic of Bosnia and Herzegovina, mostly on bicycles. All indications suggested that this was trade-related. The customs authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) complied with the Mission request to put an end to this kind of trade. The bicycle traffic continues to be a slight problem, with beer being now the principal cargo.

20. On 20 July, observers at the Skelani (Bajina Basta) border crossing point reported that a helicopter crossed the border into Bosnia and Herzegovina. On three separate occasions, on 23, 26 and 28 July, the Mission team at the Badovinci (Sector Alpha) crossing point reported a helicopter crossing the border, twice from Bosnia and Herzegovina to the Federal Republic of Yugoslavia (Serbia and Montenegro) and once in the other direction. On 28 July, separate helicopter crossings were sighted at the Mali Zvornik (Sector Alpha) and Vilusi (Sector Charlie) crossing points. The Mission headquarters has requested an explanation of the flights from the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro), who have confirmed them as medical evacuation flights. The Mission can neither confirm nor deny that these were medical evacuation flights. The United Nations military observers team in Belgrade has advised the Mission that, because of problems monitoring helicopters on the Bosnia and Herzegovina side, no helicopter flights destined to cross the border either way have been given United Nations approval since 11 July 1995.

21. United Nations airfield monitors working at civilian radar screens at Surcin Airport near Belgrade notified the Mission of two unidentified radar tracks on 29 June, and of one further trace on 8 July. On 13 July the Mission Operations (Air) Officer reviewed the tapes covering all three cases. The tapes had no traces of the tracks reported by the military observers. After the review, the Mission Operations Officer was subjected to harassment at the Federal Air Traffic Control Authority over the wording of a written factual statement of his findings. Also the Federal Air Traffic Control Authority has been unnecessarily obstructive over the Mission reviewing tapes. The Mission is making representations to the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) about these matters.

22. Two barriers in the Tara mountains 10 kilometres west of the village of Mitrovac were frequently tampered with. The incidents were reported to the Yugoslav Army Liaison Officer, who ordered the reconstruction of the barricades.

23. In the previous report to the Security Council on 25 June (S/1995/510), the border crossing points at Metaljka and Sula (Sector Bravo) were mentioned as problematic areas because of the possibility of bypassing them. One way of dealing with the problem was to relocate those crossing points so as to prevent usage of the bypass roads. On 6 July, the Mission Coordinator, together with

his Senior Customs Adviser, met the Director General of the Federal Customs Administration and expressed his serious concern about the delay in relocating the two crossing points. Both of them, Metaljka and Sula, were moved to new locations that same afternoon.

24. On 26 June, at Vracenovici (Sector Charlie), a car with 14 bags of wool was allowed to cross into Bosnian Serb territory without a proper check.

25. On 17 July, at Nudo (Sector Charlie), the customs authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) allowed a van to cross into Bosnian Serb-held territory without it being checked. The observers noted that the van was fully loaded with crates of fruit, vegetables and meat.

VIII. CERTIFICATION

26. In the light of the foregoing developments, based on the Mission's on-site observation, on the advice of the Mission Coordinator, Mr. T. J. Nieminen, and in the absence of any contrary information from the air, either from the airborne reconnaissance system of the North Atlantic Treaty Organization (NATO) or national technical means, the Co-Chairmen conclude that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is continuing to meet its commitment to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces. The Co-Chairmen also conclude that, during the period covered by the present report, there have been no commercial transshipments across the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina.

27. Pursuant to Security Council resolutions 988 (1995) and 1003 (1995), the next report will be provided by 8 September 1995, before the expiration of the 75-day period.